

THURSDAY, APRIL 4, 1996

EIGHTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Herron.

Representative Herron led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 91

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Venable; business reasons.

Representative Peach; personal reasons.

Representative Garrett; personal reasons.

Representative Cole(Carter); personal reasons.

Representative Bittle; personal reasons.

Representative Jackson; personal reasons.

PRESENT IN CHAMBER

Representative(s) Robinson was/were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2396: Rep(s). Givens and Duer as prime sponsor(s).

House Bill No. 2433: Rep(s). Rigsby, West, Odom, Rhinehart, Fitzhugh, Rinks, Huskey, Cole(Dyer) and Fowlkes as prime sponsor(s).

House Bill No. 2451: Rep(s). Phillips, Rhinehart and Lewis as prime sponsor(s).

House Bill No. 2746: Rep(s). Herron, Williams(Union), Givens and Boyer as prime sponsor(s).

House Bill No. 3051: Rep(s). Windle, Arriola and Towns as prime sponsor(s).

House Bill No. 3120: Rep(s). Cross as prime sponsor(s).

REPORT OF CHIEF ENGROSSING CLERK

April 2, 1996

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1336, 2318, 2973, 2988, 2991, 2993, 3265 and 3266 also, House Joint Resolution(s) No(s). 380, 475, 476, 477, 480, 481, 484, 485, 486, 487, 489, 490, 491 and 492.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 2, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 618, 2058, 2094, 2173, 2250, 2410, 2441, 2485, 2494, 2743, 2782, 2883, 3116 and 3197; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 618 --** Apportionment, Legislative - Creates Tennessee Reapportionment Commission to recommend plan for redistricting districts of senate, house of representatives and Congress after each federal decennial census. Amends TCA Title 3. by *Jordan, *Leatherwood, *Cooper, *Elsea, *Fowler, *McNally, *Rice, *Wright, *Haun, *Carter, *Holcomb, *Person, *Miller J, *Gilbert.

***Senate Bill No. 2058 --** Jails, Local Lock-ups - Authorizes county or municipality to adopt plan to require inmates in local jail or workhouse to pay co-pay amount for any

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medical care, treatment or pharmacy services provided inmate; allows county or municipality to seek reimbursement from insurance companies for medical expenses provided on behalf of inmate. Amends TCA Title 41, Chapter 4, Part 1. by *McNally, *Leatherwood.

***Senate Bill No. 2094 --** Bail, Bail Bonds - Allows, in setting amount of bail for criminal defendant, magistrate to consider defendant's prior criminal record and likelihood will pose risk of danger to community. Amends TCA Title 40, Chapter 11. by *McNally.

***Senate Bill No. 2173 --** DUI/DWI Offenses - Increases amount of time court may prohibit person convicted of first time DUI offense from six months to one year. Amends TCA Title 55, Chapter 10, Part 4. by *Cohen.

***Senate Bill No. 2250 --** Aged Persons - Reduces number of months for which court may appoint guardian for abused adult from six to three months; reduces subsequent extensions to three months. Amends TCA Title 4; Title 39, Chapter 3; Title 40, Chapter 35; Title 68, Chapter 11 and Title 71, Chapter 6. by *Gilbert, *Person.

***Senate Bill No. 2410 --** Criminal Offenses - Places fines for convictions of offenses involving paraphernalia for use with marijuana or hashish in same categories as convictions for offenses involving marijuana or hashish. Amends TCA Section 39-17-428. by *Rice, *Cohen.

Senate Bill No. 2441 -- Women - Mandates that newly constructed football stadiums in Nashville build more restrooms for women than for men, in compliance with TCA 68-120-503 Amends TCA Title 68, Chapter 120, Part 5. by *Cohen, *Harper.

***Senate Bill No. 2485 --** Handicapped Persons - Broadens standards to be consulted when determining whether new building structure or substantially altered building structure meets minimum required specifications as to accessibility for handicapped persons. by *Harper.

Senate Bill No. 2494 -- Alcoholic Offenses - Exempts professional testing of interlock devices from criminal penalties of starting vehicle Amends TCA Title 55. by *Cohen. (*HB2323 by *Herron)

***Senate Bill No. 2743 --** Health - Revises provisions relative to "Do Not Resuscitate" orders. Amends TCA Title 68, Chapter 140, Part 6. by *Holcomb.

Senate Bill No. 2782 -- Juries and Jurors - Entitles juror serving on trial lasting over 14 days to receive two times normal daily rate of compensation for each day served in excess of 14 days. by *Cohen.

Senate Bill No. 2883 -- Massage - Redefines "massage establishment" to be business held out to the public; authorizes massage licensure board to promulgate rules and regulations pertaining to ethics, to define somatic therapy and set all education and other requirements for licensure. Amends TCA Title 63, Chapter 18, Part 2. by *Jordan.

***Senate Bill No. 3116** -- Criminal Offenses - Creates offense of aggravated child neglect, elements of which are identical to offense of aggravated child abuse except child neglected rather than abused. Amends TCA Section 39-15-402. by *Miller J, *Person, *Elsea, *Rice, *Carter.

***Senate Bill No. 3197** -- Public Records - Prohibits using computer to record or store records unless computer program will reproduce records in nonproprietary form; requires reproduction of all public records on magnetic disc or tape. Amends TCA Title 10, Chapter 7, Part 5. by *Rochelle, *Kyle.

MESSAGE FROM THE SENATE
April 2, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 384, 391, 393, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 424, 425 and 426; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Joint Resolution No. 384** -- Highway Signs - "Bill Patton Memorial Bridge," Allen's Creek, S.R. 99, Lewis County. by *Springer.

***Senate Joint Resolution No. 391** -- Highway Signs - "The Minnie Pearl Memorial Parkway," S.R. 50, Hickman County. by *Springer, *Henry, *Kyle.

Senate Joint Resolution No. 393 -- Memorials, Recognition and Thanks - Outstanding Women of Tennessee. by *Wright, *Harper, *O'Brien.

Senate Joint Resolution No. 403 -- Memorials, Death - Robert A. (Bobby) Edwards. by *Rochelle.

Senate Joint Resolution No. 404 -- Memorials, Academic Achievement - Lori Baker, Valedictorian, Gordonsville High School. by *Rochelle.

Senate Joint Resolution No. 405 -- Memorials, Academic Achievement - Melissa Woodard, Salutatorian, Gordonsville High School. by *Rochelle.

Senate Joint Resolution No. 406 -- Memorials, Academic Achievement - Brian Lee Smith, Valedictorian, Smith County High School. by *Rochelle.

Senate Joint Resolution No. 407 -- Memorials, Academic Achievement - Mary Katherine Brooks, Co-Salutatorian, Smith County High School. by *Rochelle.

Senate Joint Resolution No. 408 -- Memorials, Academic Achievement - Jimmy Christian, Co-Salutatorian, Smith County High School. by *Rochelle.

Senate Joint Resolution No. 409 -- Memorials, Academic Achievement - Jason Chad Halliburton, 1996 valedictorian, Trousdale County High School. by *Rochelle.

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Senate Joint Resolution No. 410 -- Memorials, Academic Achievement - Jonathan Edward Linville, 1996 Trousdale County High School salutatorian. by *Rochelle.

Senate Joint Resolution No. 411 -- Memorials, Academic Achievement - Kylie Marie Beck, 1996 valedictorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 412 -- Memorials, Academic Achievement - Lynna Suzanne Beavers, 1996 Salutatorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 413 -- Memorials, Academic Achievement - Sonya Rae Smith, 1996 valedictorian, Lebanon High School. by *Rochelle.

Senate Joint Resolution No. 414 -- Memorials, Academic Achievement - Amber Ervin, 1996 Salutatorian, Lebanon High School. by *Rochelle.

Senate Joint Resolution No. 415 -- Memorials, Academic Achievement - David T. Alcorn, 1996 valedictorian, Friendship Christian School. by *Rochelle.

Senate Joint Resolution No. 416 -- Memorials, Academic Achievement - Kristine Suzanne McCulloch, 1996 Salutatorian, Friendship Christian School. by *Rochelle.

Senate Joint Resolution No. 417 -- Memorials, Academic Achievement - Leslie Leigh Hall, 1996 Valedictorian, Mt. Juliet High School. by *Rochelle.

Senate Joint Resolution No. 418 -- Memorials, Academic Achievement - Richard "Alan" Russell, 1996 Salutatorian, Mt. Juliet High School. by *Rochelle.

Senate Joint Resolution No. 419 -- Memorials, Academic Achievement - Mary Dorriese Kellams, 1996 Mt. Juliet Christian Academy valedictorian. by *Rochelle.

Senate Joint Resolution No. 420 -- Memorials, Academic Achievement - Katie Elizabeth "Beth" Guy, 1996 Salutatorian, Mt. Juliet Christian Academy. by *Rochelle.

Senate Joint Resolution No. 421 -- Naming and Designating - "National Teachers' Day," May 7, 1996. by *Womack, *O'Brien.

Senate Joint Resolution No. 424 -- Memorials, Retirement - June Sparger. by *Holcomb.

Senate Joint Resolution No. 425 -- Memorials, Death - M.E. "Mori" Greiner. by *Cohen.

Senate Joint Resolution No. 426 -- Naming and Designating - National Drug Abuse Resistance Education (D.A.R.E.) Day, April 11, 1996. by *Burks.

MESSAGE FROM THE GOVERNOR

April 2, 1996

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3261; also, House Joint Resolution(s) No(s). 371, 389, 390, 420, 467, 468, 470, 471, 472, 473, 478 and 482; with his approval.

HARDY MAYS, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

April 3, 1996

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2407, 2552, 2889, 3239, 3242, 3253, 3254, 3255, 3258, 3262 and 3263; also, House Joint Resolution(s) No(s). 380, 475, 476, 477, 480, 481, 485, 486, 487, 489, 490, 491 and 492; with his approval.

HARDY MAYS, Counsel to the Governor.

ENROLLED BILLS

April 3, 1996

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 645, 2366, 2520, 2622, 2698, 2788, 2887, 2951, 2974 and 3203.

BETTY KAY FRANCIS, Chief Engraving Clerk.

SIGNED

April 3, 1996

The Speaker signed the following: House Bill(s) No(s). 645, 2366, 2520, 2622, 2698, 2788, 2887, 2951, 2974 and 3203.

BETTY KAY FRANCIS, Chief Engraving Clerk.

MESSAGE FROM THE SENATE

April 3, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 432; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

April 3, 1996

The Speaker signed the following: Senate Bill(s) No(s). 1920, 2399, 2521, 2582, 2601, 2607, 2728, 2783, 2877, 2934 and 3162.

MESSAGE FROM THE SENATE

April 3, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2946; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

April 3, 1996

The Speaker signed the following: Senate Bill(s) No(s). 2946.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Resolution No. 204 -- Memorials, Government Officials - Urges and advises Environmental Protection Agency in its review of National Ambient Air Quality Standard for ozone to thoroughly evaluate potential incremental health impacts and economic consequences, including unfunded mandates on states, for range of options to modify ozone standard, including retaining existing standard. by *Williams (Williamson), *Callicott.

Conservation & Environment Committee

***House Joint Resolution No. 513** -- Highway Signs - "A.H. Gray / C.A. Rawls By-Pass," new route between S.R. 19 and Brownsville in Haywood County. by *Fitzhugh.

Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 8, 1996:

House Resolution No. 203 -- Memorials, Academic Achievement - Amanda Lee Bannister. by *Williams (Union).

House Resolution No. 202 -- Memorials, Public Service - Douglas F. Crosier. by *Callicott.

House Resolution No. 205 -- Memorials, Personal Occasion - Mr. and Mrs. D.B. Fuller, Sr., 50th Wedding Anniversary. by *Langster, *Jones, S., *Pruitt, *Halteman Harwell, *West, *DeBerry L, *Odom, *Arriola, *Purcell, *Armstrong.

House Resolution No. 206 -- Memorials, Interns - Whitney Weber. by *Boyer.

House Resolution No. 207 -- Memorials, Professional Achievement - Reverend and Mrs. JD Jameson. by *Brooks.

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House Joint Resolution No. 512 -- Memorials, Recognition and Thanks - Bruce Foster. by *Cantrell.

House Joint Resolution No. 514 -- Memorials, Sports - 1995-1996 University School of Jackson girls' basketball team. by *Kisber.

House Joint Resolution No. 515 -- Memorials, Personal Occasion - Daniel Henry Brackman. by *Bragg.

House Joint Resolution No. 516 -- Memorials, Professional Achievement - Susan Hall, Metro Teacher of the Year. by *West.

House Joint Resolution No. 517 -- Memorials, Interns - Milessa Pendleton. by *Bragg.

House Joint Resolution No. 518 -- Memorials, Interns - Miller Sherling. by *Kisber.

House Joint Resolution No. 519 -- Memorials, Death - Ernest C. Withers, Sr. by *Jones R (Shelby), *DeBerry J, *Turner (Shelby), *Brooks, *Miller L, *Townes, *Jones U (Shelby), *Bowers, *Langster.

House Joint Resolution No. 521 -- Memorials, Personal Achievement - Stacy Lynn Modrell, 1996 Miss McNairy County. by *Rinks.

House Joint Resolution No. 522 -- Memorials, Sports - 1995-1996 McNairy Central High School boys' basketball team. by *Rinks.

House Joint Resolution No. 524 -- Memorials, Sports - 1995-1996 Bradford High School girls' basketball team, TSSAA Class A state champions. by *Phelan, *Pinion.

House Joint Resolution No. 526 -- Memorials, Death - Alex Fancher, Jr. by *Davis, *Whitson, *Roach.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 8, 1996:

Senate Joint Resolution No. 426 -- Naming and Designating - National Drug Abuse Resistance Education (D.A.R.E.) Day, April 11, 1996. by *Burks.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 384** -- Highway Signs - "Bill Patton Memorial Bridge," Allen's Creek, S.R. 99, Lewis County. by *Springer.

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Transportation Committee

***Senate Joint Resolution No. 391** -- Highway Signs - "The Minnie Pearl Memorial Parkway," S.R. 50, Hickman County. by *Springer, *Henry, *Kyle.

Transportation Committee

Senate Joint Resolution No. 421 -- Naming and Designating - "National Teachers' Day," May 7, 1996. by *Womack, *O'Brien.

State & Local Government Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3288 -- Kingsport - Subject to local approval, revises authority of council relative to advisory boards. Amends Chapter 328 of the Acts of 1903. by *Cantrell.

House Bill No. 3289 -- School Districts, Special - Allows \$10.5 million bond issue for McKenzie High School District; sets debt service tax rate at \$.95/\$100 to repay bonds. Amends Chapter 533 of the Private Acts of 1917, as amended. by *Phelan, *Herron.

House Bill No. 3290 -- School Districts, Special - Allows Hollow Rock-Bruceton school district to issue bonds for \$5,750,000; sets debt service tax rate at \$.94 to retire bonds for construction of facilities. - Amends Chapter 317 of the Private Acts of 1927, as amended. by *Phelan. (SB3275 by *Carter)

House Bill No. 3291 -- Clarksville - Subject to local approval of City of Clarksville and Montgomery County expands powers of hospital district. Amends Chapter 99 of the Private Acts of 1953; as amended. by *Head, *McMillan. (SB3279 by *Rice)

House Bill No. 3292 -- Wilson County - Subject to referendum, authorizes adequate facilities tax on new development in Wilson County, as well as in Watertown, Lebanon and Mt. Juliet; establishes 50-50 sharing with county and municipality issuing building permit. by *Beavers.

House Bill No. 3293 -- Bolivar - Subject to local approval, amends the charter of the City of Bolivar relative to certain city employees. Amends Chapter 142 of the Private Acts of 1953; as amended. by *Walley.

House Bill No. 3295 -- Greene County - Places proceeds of motor vehicle privilege tax in general debt service fund or other fund as determined by resolution rather than general fund. Amends Chapter 251 of the Private Acts of 1976. by *Davis.

House Bill No. 3296 -- Greeneville - Subject to local approval, amends charter relative to the powers and duties of mayor. Amends Chapter 563 of the Acts of 1903; as amended. by *Whitson.

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House Bill No. 3297 -- Greeneville - Subject to local approval, authorizes filling of vacant police chief, fire chief and recorder positions with candidate outside classified service or candidate with less seniority, upon majority vote approval by governing body; authorizes civil service board, upon majority vote of governing body, to consider non-certified applicants. Amends Chapter 179 of the Private Acts of 1953. by *Whitson.

House Bill No. 3298 -- Columbia - Subject to local approval, allows non-resident property owners to vote in Columbia city elections. by *Napier.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 618** -- Apportionment, Legislative - Creates Tennessee Reapportionment Commission to recommend plan for redistricting districts of senate, house of representatives and Congress after each federal decennial census. Amends TCA Title 3. by *Jordan, *Leatherwood, *Cooper, *Elsea, *Fowler, *McNally, *Rice, *Wright, *Haun, *Carter, *Holcomb, *Person, *Miller J, *Gilbert.

***Senate Bill No. 2058** -- Jails, Local Lock-ups - Authorizes county or municipality to adopt plan to require inmates in local jail or workhouse to pay co-pay amount for any medical care, treatment or pharmacy services provided inmate; allows county or municipality to seek reimbursement from insurance companies for medical expenses provided on behalf of inmate. Amends TCA Title 41, Chapter 4, Part 1. by *McNally, *Leatherwood.

***Senate Bill No. 2094** -- Bail, Bail Bonds - Allows, in setting amount of bail for criminal defendant, magistrate to consider defendant's prior criminal record and likelihood will pose risk of danger to community. Amends TCA Title 40, Chapter 11. by *McNally.

***Senate Bill No. 2173** -- DUI/DWI Offenses - Increases amount of time court may prohibit person convicted of first time DUI offense from six months to one year. Amends TCA Title 55, Chapter 10, Part 4. by *Cohen.

***Senate Bill No. 2250** -- Aged Persons - Reduces number of months for which court may appoint guardian for abused adult from six to three months; reduces subsequent extensions to three months. Amends TCA Title 4; Title 39, Chapter 3; Title 40, Chapter 35; Title 68, Chapter 11 and Title 71, Chapter 6. by *Gilbert, *Person.

***Senate Bill No. 2410** -- Criminal Offenses - Places fines for convictions of offenses involving paraphernalia for use with marijuana or hashish in same categories as convictions for offenses involving marijuana or hashish. Amends TCA Section 39-17-428. by *Rice, *Cohen.

Senate Bill No. 2441 -- Women - Mandates that newly constructed football stadiums in Nashville build more restrooms for women than for men, in compliance with TCA 68-120-503 Amends TCA Title 68, Chapter 120, Part 5. by *Cohen, *Harper.

THURSDAY, APRIL 4, 1996 -- EIGHTY- SECOND LEGISLATIVE DAY

***Senate Bill No. 2485** -- Handicapped Persons - Broadens standards to be consulted when determining whether new building structure or substantially altered building structure meets minimum required specifications as to accessibility for handicapped persons. by *Harper.

Senate Bill No. 2494 -- Alcoholic Offenses - Exempts professional testing of interlock devices from criminal penalties of starting vehicle Amends TCA Title 55. by *Cohen. (*HB2323 by *Herron)

***Senate Bill No. 2743** -- Health - Revises provisions relative to "Do Not Resuscitate" orders. Amends TCA Title 68, Chapter 140, Part 6. by *Holcomb.

Senate Bill No. 2782 -- Juries and Jurors - Entitles juror serving on trial lasting over 14 days to receive two times normal daily rate of compensation for each day served in excess of 14 days. by *Cohen.

Senate Bill No. 2883 -- Massage - Redefines "massage establishment" to be business held out to the public; authorizes massage licensure board to promulgate rules and regulations pertaining to ethics, to define somatic therapy and set all education and other requirements for licensure. Amends TCA Title 63, Chapter 18, Part 2. by *Jordan.

***Senate Bill No. 3116** -- Criminal Offenses - Creates offense of aggravated child neglect, elements of which are identical to offense of aggravated child abuse except child neglected rather than abused. Amends TCA Section 39-15-402. by *Miller J, *Person, *Elsa, *Rice, *Carter.

***Senate Bill No. 3197** -- Public Records - Prohibits using computer to record or store records unless computer program will reproduce records in nonproprietary form; requires reproduction of all public records on magnetic disc or tape. Amends TCA Title 10, Chapter 7, Part 5. by *Rochelle, *Kyle.

LOCAL BILLS REFERRED

House Bill No. 3271 -- Hamilton County -- House Judiciary Committee

House Bill No. 3272 -- Hamilton County -- House Judiciary Committee

House Bill No. 3273 -- Hamilton County -- House Judiciary Committee

House Bill No. 3279 -- Hamilton County -- House Judiciary Committee

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 3257** -- Intergovernmental Relations -- House Finance, Ways & Means Committee

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House Bill No. 3283 -- Monroe County -- Local Bill Held on House Desk

House Bill No. 3284 -- Gallatin -- Local Bill Held on House Desk

DELAYED BILLS REFERRED

April 2, 1996

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3294, was/were referred to the Delayed Bills Committee.

***House Bill No. 3294** -- Uniform Commercial Code - Revises process for filing continuation of financing statement by secured parties. Amends TCA Title 47, by *Purcell.

DELAYED BILLS REFERRED

April 3, 1996

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3299 and 3300, was/were referred to the Delayed Bills Committee.

***House Bill No. 3299** -- Uniform Commercial Code - Revises procedures for filing continuation statements by secured parties. Amends TCA Title 47, Chapter 9, by *Chumney.

***House Bill No. 3300** -- County Government - Authorizes counties to make purchases of federal GSA contracts. Amends TCA Title 5, Chapter 1, Part 1, by *Bragg.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 2, 1996**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 4, 1996**: House Bill(s) No(s). 2760, 2763, 3135, 2208, 2872, 2451, 3212, 2789, 3051, 1960, 2176, 2396, 2429 and 2746.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 8, 1996**: House Bill(s) No(s). 2417, House Joint Resolution(s) No(s). 469, 378, 463 and 437, and Senate Joint Resolution(s) No(s). 184.

COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 524, 2210 and Senate Joint Resolution(s) No(s). 347; also House Bill(s) No(s). 1953, 3077, 917, 3005 and 1272 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

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We further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1598 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

We further reported that the following was/were considered but failed to pass: House Bill No. 2632.

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 3201 and 2879 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2943 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2987, 3198 and 3131; also House Bill(s) No(s). 2510 and 2745 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3048, 2600, 2651 and 2652; also House Bill(s) No(s). 2946 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2692, 1501, 2860, 2859, 2892, 2192 and 2967; also House Bill(s) No(s). 2431, 561, 2891, 2940, 2381 and 3257 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2121 and 2116; also House Bill(s) No(s). 2136 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Judiciary Committee: House Bill(s) No(s). 3227.

It further recommended that the following be referred to the Commerce Committee: House Bill(s) No(s). 2902.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2101, 2218, 1973, 2410, 2393, House Joint Resolution(s) No(s). 277 and Senate Joint Resolution(s) No(s). 344; also House Bill(s) No(s). 2512, 2893, 2976, 2538 and 2833 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2484, 2344, 2864, 2712, 2364 and 2572 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 1853, 3004, 2244, 2877 and House Joint Resolution(s) No(s). 414 and 444; also House Bill(s) No(s). 2423, 3007, 2529, 2589, 3006, 1840 and 2560 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2493 and 2359 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 3, 1996**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 8, 1996**: House Bill(s) No(s). 2534, 1505, 2539 and Senate Bill(s) No(s) 2495.

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 2945 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 3008 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 3264, 3031 and 3082 and House Joint Resolution(s) No(s). 503; also House Bill(s) No(s). 3078, 2167,

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2679, 2232, 2507, 2321, 2076, 2330, 318, 2326 and 2581 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2750; also House Bill(s) No(s). 2670, 2268 and 1980 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

We further reported that the following was/were considered but failed to pass: House Bill No. 3218.

TRANSPORTATION

The Transportation Committee recommended for passage: Senate Joint Resolution(s) No(s). 356 and 357; also House Bill(s) No(s). 2224, 2422 and Senate Joint Resolution(s) No(s). 108 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2499. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 4, 1996**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 8, 1996**: House Bill(s) No(s). 2410, 917, 2051, 2536, 2201, 1953, 2893, 3201 and House Resolution(s) No(s). 162.

The Committee set the following bills on the **Regular Calendar** for **April 11, 1996**: House Bill(s) No(s). 1082 and 2976.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 8, 1996**: House Bill(s) No(s). 2101, 524, 1973, 2393, House Joint Resolution(s) No(s). 438, 456 and 403, Senate Joint Resolution(s) No(s). 345, 284, 313 and House Resolution(s) No(s). 156.

CONSENT CALENDAR

House Resolution No. 201 -- Memorials, Public Service - K. C. Dodson. by *Duer.

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House Resolution No. 202 -- Memorials, Public Service - Douglas F. Crosier. by *Callicott.

House Joint Resolution No. 509 -- Memorials, Sports - 1995 Lewis County High School football team. by *White.

House Joint Resolution No. 510 -- Memorials, Death - Betty Osbourn Reagan. by *Callicott, *Williams (Williamson).

House Joint Resolution No. 511 -- Naming and Designating - Commemorates designation of Pulaski U.S. Post Office in honor of late Senator Ross Bass. by *Fowlkes.

Senate Joint Resolution No. 393 -- Memorials, Recognition and Thanks - Outstanding Women of Tennessee. by *Wright, *Harper, *O'Brien.

Senate Joint Resolution No. 403 -- Memorials, Death - Robert A. (Bobby) Edwards. by *Rochelle.

Senate Joint Resolution No. 404 -- Memorials, Academic Achievement - Lori Baker, Valedictorian, Gordonsville High School. by *Rochelle.

Senate Joint Resolution No. 405 -- Memorials, Academic Achievement - Melissa Woodard, Salutatorian, Gordonsville High School. by *Rochelle.

Senate Joint Resolution No. 406 -- Memorials, Academic Achievement - Brian Lee Smith, Valedictorian, Smith County High School. by *Rochelle.

Senate Joint Resolution No. 407 -- Memorials, Academic Achievement - Mary Katherine Brooks, Co-Salutatorian, Smith County High School. by *Rochelle.

Senate Joint Resolution No. 408 -- Memorials, Academic Achievement - Jimmy Christian, Co-Salutatorian, Smith County High School. by *Rochelle.

Senate Joint Resolution No. 409 -- Memorials, Academic Achievement - Jason Chad Halliburton, 1996 valedictorian, Trousdale County High School. by *Rochelle.

Senate Joint Resolution No. 410 -- Memorials, Academic Achievement - Jonathan Edward Linville, 1996 Trousdale County High School salutatorian. by *Rochelle.

Senate Joint Resolution No. 411 -- Memorials, Academic Achievement - Kylie Marie Beck, 1996 valedictorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 412 -- Memorials, Academic Achievement - Lynna Suzanne Beavers, 1996 Salutatorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 413 -- Memorials, Academic Achievement - Sonya Rae Smith, 1996 valedictorian, Lebanon High School. by *Rochelle.

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Senate Joint Resolution No. 414 -- Memorials, Academic Achievement - Amber Ervin, 1996 Salutatorian, Lebanon High School. by *Rochelle.

Senate Joint Resolution No. 415 -- Memorials, Academic Achievement - David T. Alcorn, 1996 valedictorian, Friendship Christian School. by *Rochelle.

Senate Joint Resolution No. 416 -- Memorials, Academic Achievement - Kristine Suzanne McCulloch, 1996 Salutatorian, Friendship Christian School. by *Rochelle.

Senate Joint Resolution No. 417 -- Memorials, Academic Achievement - Leslie Leigh Hall, 1996 Valedictorian, Mt. Juliet High School. by *Rochelle.

Senate Joint Resolution No. 418 -- Memorials, Academic Achievement - Richard "Alan" Russell, 1996 Salutatorian, Mt. Juliet High School. by *Rochelle.

Senate Joint Resolution No. 419 -- Memorials, Academic Achievement - Mary Dorriese Kellams, 1996 Mt. Juliet Christian Academy valedictorian. by *Rochelle.

Senate Joint Resolution No. 420 -- Memorials, Academic Achievement - Katie Elizabeth "Beth" Guy, 1996 Salutatorian, Mt. Juliet Christian Academy. by *Rochelle.

Senate Joint Resolution No. 424 -- Memorials, Retirement - June Sparger. by *Holcomb.

Senate Joint Resolution No. 425 -- Memorials, Death - M.E. "Mori" Greiner. by *Cohen.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Resolution No. 201 -- Memorials, Public Service - K. C. Dodson. by *Duer.

Under the rules, House Resolution No: 201 was/were placed at the foot of the calendar for April 8, 1996.

Rep. Callicott moved that House Resolution No. 202 be reset to the Consent Calendar for April 8, 1996, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 91
Noes 0

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Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Windle moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 520 out of order, which motion prevailed.

House Joint Resolution No. 520 -- Memorials, Personal Occasion - Dow and Sarah Williamson, 50th Wedding Anniversary. by *Windle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Windle, the resolution was adopted.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2355 -- Purchasing - Enacts "Privatization Contractor Public Accountability Act of 1996." Amends TCA Title 8, Chapter 4. by *Brown, *Armstrong, *Miller L, *Pruitt, *Brooks, *Jones R (Shelby), *Langster. (*SB2382 by *Crutchfield)

Further consideration of House Bill No. 2355, previously considered on March 18, 1996, March 20, 1996 and March 27, 1996, and reset to today's Calendar.

Rep. Brown moved that **House Bill No. 2355** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	88
Noes	0
Present and not voting.....	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Coffey,

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Cole (Dyer), Cross, Curtiss, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representative present and not voting were: Clabough, Haley -- 2.

A motion to reconsider was tabled.

House Bill No. 1539 -- Education - Deletes requirement that any superintendent or director of schools, appointed to such office by popularly elected school board, only have baccalaureate degree in order to hold such office. Amends TCA 49-2-301. by *Winningham, *McAfee, *Duer, *Curtiss. (*SB1333 by *Burks)

Further consideration of House Bill No. 1539, previously considered on April 6, 1995, April 10, 1995, April 13, 1995, May 11, 1995, May 17, 1995, February 29, 1996 and March 21, 1996 and March 27, 1996, and reset to today's Calendar.

Rep. Winningham moved that House Bill No(s). 1539 be reset to the first Regular Calendar the week of April 21, 1996, which motion prevailed.

House Bill No. 2440 -- Game and Fish Laws - Revises penalties relative to fish and wildlife violations. Amends TCA Title 70, Chapter 1, Part 1; Section 70-2-101(e); Section 70-2-205(e)(1); Section 70-2-215(d); Section 70-2-221(e); Section 70-4-102(c); Section 70-4-108(c); Section 70-4-201(d); Section 70-6-101(b)(2) and Section 70-6-202(b). by *Odom. (*SB2239 by *Gilbert)

Further consideration of House Bill No. 2440, previously considered on March 11, 1996, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for March 13, 1996. House Bill No. 2440 was further considered on March 20, 1996 and March 27, 1996, and reset to today's Calendar.

Rep. Odom requested that House Bill No. 2440 be moved to the heel of the Calendar.

***House Resolution No. 68** -- General Assembly, Studies - Creates study committee to examine issues relating to reinstatement of driver licenses. by *Robinson.

Further consideration of House Resolution No. 68, previously considered on March 28, 1996, and reset to today's Calendar.

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Rep. Robinson moved that House Resolution No(s). 68 be reset to the Regular Calendar for April 11, 1996, which motion prevailed.

***House Bill No. 2275 --** County Officers - Removes prohibition against changing salary of county executive during such official's term of office - Amends TCA Section 8-24-114. by *Huskey, *Westmoreland. (SB2411 by *Koella, *Crutchfield, *Eisea, *Springer)

Further consideration of House Bill No. 2275, previously considered on April 1, 1996, and reset to today's Calendar.

Rep. Huskey moved that House Bill No(s). 2275 be reset to the Regular Calendar for April 11, 1996, which motion prevailed.

***House Bill No. 2489 --** Penal and Reformatory Institutions - Requires prison or jail director to notify employees of identity of inmates known to have infectious diseases; limits application to employees who physically interact with such inmates; prohibits release of confidential information to public. by *Windle, *Bowers, *Towns, *Peach, *Bittle, *Cantrell, *Stulce, *Whitson, *Winningham, *Sharp, *Burchett, *Kent, *Buck, *Pinion, *Duer. (SB3225 by *Burks)

Further consideration of House Bill No. 2489, previously considered on April 1, 1996, and reset to today's Calendar.

Rep. Windle moved that House Bill No. 2489 be passed on third and final consideration.

Rep. Windle requested that House Bill No. 2489 be moved to the heel of the Calendar.

***Senate Joint Resolution No. 226 --** General Assembly, Studies - Continues Select Joint Committee on Veterans' Affairs. by *Womack.

Further consideration of Senate Joint Resolution No. 226, previously considered on April 1, 1996, and reset to today's Calendar.

Rep. Givens moved that the House concur in Senate Joint Resolution No. 226.

Rep. Turner(Hamilton) moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Joint Resolution No. 226 by deleting from the second resolving clause the words, figures and symbols "seven (7) members of the House of Representatives" and by substituting instead the following:

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nine (9) members of the House of Representatives

On motion, Amendment No. 1 was adopted.

Rep. Givens moved that the House concur in **Senate Joint Resolution No. 226**, as amended, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

***House Bill No. 168** -- Medical Occupations - Enacts "Hypnotherapist Registration Act." Amends TCA Titles 4, 63. by *Odom. (SB648 by *Rice)

Further consideration of House Bill No. 168, previously considered on April 1, 1996, at which time the House was on the motion to adopt Amendment No. 1 and the previous question had been called, and reset to today's Calendar.

Rep. Odom moved that House Bill No(s). 168 be reset to the Regular Calendar for April 17, 1996, which motion prevailed.

House Bill No. 2760 -- Juvenile Offenders - Requires juvenile court clerk to make audio recording of all hearings to determine whether juvenile should be transferred to criminal court to stand trial as adult. Amends TCA Section 37-1-134. by *Purcell, *Hargrove, *Chumney. (*SB2660 by *Person)

On motion, House Bill No. 2760 was made to conform with **Senate Bill No. 2660**; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 2660 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

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Rep. Purcell moved that **Senate Bill No. 2660** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 92
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

House Bill No. 2763 -- Solid Waste Disposal - Revises Solid Waste Disposal Act of 1991; authorizes funds from solid waste management fund to be used to enhance recycling efforts and to develop permanent collection sites for household hazardous wastes; imposes tipping fee on municipal solid waste received at Class I landfills. Amends TCA Section 68-211-104; Title 68, Chapter 211, Parts 2 through 4; Title 68, Chapter 211, Part 8; Section 68-211-902; Section 68-211-903 and Section 68-211-924. by *Purcell, *Napier, *Cross, *Callicott, *Westmoreland, *Kernell, *Bittle, *Stulce, *Curtiss, *Williams (Union), *McAfee, *Kisber, *Odom, *West. (*SB2180 by *Gilbert, *Wilder, *McNally)

Rep. Purcell moved that House Bill No. 2763 be passed on third and final consideration.

Rep. Napier moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2763 by adding the following section to precede the effective date section:

SECTION _____. Tennessee Code Annotated, Section 68-211-851, is amended by adding a new subsection thereto, as follows:

() (1) Not later than July 1, 1997, each county which maintains and uses receptacles for the collection of municipal solid waste from the general public at sites separate from a convenience

center for the needs of the residents of the county shall submit the following information to the department:

(A) The number of receptacles in the county;

(B) The location of all receptacles;

(C) Collection times for such receptacles;

(D) Operation procedures and security measures adopted and enforced to maintain and service the receptacles and to ensure the protection of public health and safety; and

(E) Such other information required by the department.

(2) The board created pursuant to Section 68-211-111 shall promulgate rules and regulations on the requirements for operation and use of such receptacles as it deems necessary to ensure the protection of public health and safety and to provide for the proper management of solid waste disposed in such receptacles. Any county which does not submit the information required by subdivision (1) of this subsection or which violates the rules and regulations of the board created pursuant to Section 68-211-111 shall not use such receptacles for such purposes.

(3) The provisions of this subsection shall only apply to counties which had receptacles in use on January 1, 1996. A county which did not have receptacles in use on January 1, 1996, or which subsequent to such date discontinues use of any receptacle permitted under this section, shall be prohibited from installing or maintaining additional receptacles after the effective date of this act.

AND FURTHER AMEND by deleting Section 34 of the printed bill in its entirety.

On motion, Amendment No. 1 was adopted.

Rep. Napier moved adoption of Conservation and Environment Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2763 by deleting Section 50 of the printed bill in its entirety and by substituting instead the following:

SECTION 50. Sections 30 and 32 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections of this act shall take effect July 1, 1996, the public welfare requiring it.

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On motion, Amendment No. 2 was adopted.

Rep. Napier moved adoption of Conservation and Environment Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 2763 by adding the following as a new section to precede the effective date section:

SECTION _____. Tennessee Code Annotated, Section 68-211-842, is amended by designating the existing language as subsection (a) and by adding a new subsection thereto, as follows:

(b) The adult education program shall be funded by at a level no less than four percent (4%) of the waste disposal surcharge collected in fiscal year 1996-97; five percent (5%) of the waste disposal surcharge collected in fiscal year 1997-98; and six percent (6%) of the waste disposal surcharge collected in fiscal year 1998-99.

AND FURTHER AMEND in Section 32 of the printed bill by deleting the language "twelve (12)" and by substituting instead the language "thirteen (13)" and by adding the following language to the end thereto:

() One (1) member representing environmental air and water quality concerns, recommended by the Tennessee Environmental Council;

AND FURTHER AMEND by adding the following as a new section to precede the effective date section:

SECTION _____. The comptroller of the treasury shall study and prepare a written report on the implementation of the Solid Waste Management Act, including the effectiveness of the adult education program and its funding. Such report shall be completed by July 1, 1998 and copies delivered to the chair of the house conservation and environment committee and the senate energy, conservation and tourism committee.

On motion, Amendment No. 3 was adopted.

Rep. Purcell moved that **House Bill No. 2763**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	91
Noes	0
Present and not voting.....	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough,

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Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Brooks, Pruitt -- 2.

A motion to reconsider was tabled.

House Bill No. 3135 -- Taxes, Sales - Provides that dealers not required to collect sales tax from out-of-state purchasers who provide copy of tax exemption from another state because purchaser is church, school or governmental entity Amends TCA Title 67, Chapter 6. by *Ridgeway, *Head, *Herron, *DeBerry L, *Chumney, *Byrd, *Cross, *Kisber, *Winningham, *Bell, *Rhinehart, *McDonald. (*SB3193 by *Wallace)

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Ridgeway moved that House Bill No. 3135 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3135 by deleting all language following the enacting clause and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 67-6-322(e), is amended by adding to the end of the subsection additional language as follows:

Except that, in the case of a sale to a person who is not a resident or domiciliary of Tennessee, an exemption certificate issued by the commissioner is not required, if the dealer shall instead receive from such person a copy of a current and valid exemption from federal taxation under 26 U.S.C. § 501(c)(3). The dealer shall maintain a copy of such exemption in his records to document that the purchaser was entitled to the exemption.

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Section 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Ridgeway moved that **House Bill No. 3135**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Pruitt -- 1.

A motion to reconsider was tabled.

***House Bill No. 2208** -- Election Laws - Authorizes registration in city or county if residence located on property located in both city and unincorporated area of the county Amends TCA Title 2. by *Robinson. (SB2524 by *Haynes)

On motion, House Bill No. 2208 was made to conform with **Senate Bill No. 2524**; the Senate Bill was substituted for the House Bill.

Rep. Robinson moved that Senate Bill No. 2524 be passed on third and final consideration.

On motion, Rep. Jones R (Shelby) withdrew State & Local Government Committee Amendment No. 1.

Rep. Robinson moved that **Senate Bill No. 2524** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0
Present and not voting	1

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Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Pruitt -- 1.

A motion to reconsider was tabled.

House Bill No. 2872 -- Hospitals and Health Care Facilities - Defines "residential assisted care living facility" and "residential assisted care living facility resident." Amends TCA Titles 2, 48, 63, 68 and 71. by *Odom, *Byrd, *Pruitt, *Duer, *DeBerry L, *Kerr, *Bowers, *Davidson, *DeBerry J, *Armstrong, *Jones, S., *Head, *Miller L, *Jones R (Shelby), *Shirley, *Haley, *Turner (Hamilton), *Kent, *Herron, *Bragg, *Eckles, *McMillan, *Kernell, *Fowlkes, *Buck, *Hassell, *Rinks, *Ridgeway, *Kisber, *Chumney, *Westmoreland, *Callicott, *Joyce, *Jones U (Shelby), *Wood, *Brooks. (*SB2538 by *Wilder, *Ford J, *Henry, *Cohen, *Holcomb, *Person, *Crutchfield, *Kyle)

Rep. Odom moved that House Bill No(s). 2872 be reset to the Regular Calendar for April 8, 1996, which motion prevailed.

***House Bill No. 2451** -- Taxes, Real Property - Adds counties of Grundy, Benton, Lincoln, Lawrence, and Sevier to those counties authorized to accept partial payments of property taxes; changes rate at which local government pays interest on taxes on appeal from rate of the composite prime to two percentage points below composite prime rate. Amends TCA Title 67, Chapter 5. by *Fowlkes, *West, *Huskey. (SB2677 by *Rochelle)

On motion, House Bill No. 2451 was made to conform with **Senate Bill No. 2677**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that Senate Bill No. 2677 be passed on third and final consideration.

On motion, Rep. Jones R (Shelby) withdrew State & Local Government Committee Amendment No. 1.

Rep. Fowlkes moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2677 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 67-5-1512, is further amended by adding the words "or part 14 of this chapter" immediately after the words "this part" in subsection (b)(1)(A)(i).

Section _____. Tennessee Code Annotated, Section 67-5-1512(b)(2)(A) is amended by deleting the period "." at the end of the third sentence and substituting instead the following:

or county board of equalization.

On motion, Amendment No. 2 was adopted.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from aye to no on Amendment No. 2 to Senate Bill No. 2677 and have this statement entered in the Journal: Rep(s). Chumney.

REGULAR CALENDAR, CONTINUED

Rep. Fowlkes moved that **Senate Bill No. 2677**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, DeBerry, J., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Chumney -- 1.

A motion to reconsider was tabled.

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House Bill No. 3212 -- Taxes, Sales - Clarifies if charitable institution exempt from payment of taxes for carpet purchased, then no taxes due and payable either by institution for installation of carpet nor by person installing carpet. Amends TCA Title 67, Chapter 6. by *Eckles, *Head, *Rinks, *Kisber, *Ridgeway, *Bell, *Pinion, *Davidson, *Callicott. (*SB3209 by *Springer)

Rep. Eckles moved that House Bill No. 3212 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:
Amendment No. 1

AMEND House Bill No. 3212 by deleting Section 1 in its entirety and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 67-6-209, is amended by adding at the end of subsection (b) the following new language:

Provided, however, that the sales or use tax levied by this chapter shall not apply to carpet installed for a church when the church is exempt from sales or use taxes under Tennessee Code Annotated, Section 67-6-322.

On motion, Amendment No. 1 was adopted.

Rep. Eckles moved that **House Bill No. 3212**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 89.

A motion to reconsider was tabled.

House Bill No. 2789 -- Employees, Employers - Revises Tennessee Employee Leasing Act. Amends TCA Title 62, Chapter 43. by *Rinks. (*SB2185 by *Springer)

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Rep. Rinks moved that House Bill No. 2789 be passed on third and final consideration.

Rep. Armstrong moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2789 by adding the following as a new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section _____. The provisions of this act shall be null and void unless the general appropriations act provides an appropriation for the estimated first year's funding pursuant to Article II, Section 24, of the Constitution of the State of Tennessee.

On motion, Amendment No. 1 was adopted.

Rep. Rinks moved that **House Bill No. 2789**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	90
Noes	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

House Bill No. 3051 -- Public Service Commission - Establishes certain job security and salary protection for certain transferred employees. Amends TCA Title 8 and Title 65. by *Jones U (Shelby), *Odom, *West, *Bowers, *Brooks, *Miller L, *DeBerry J, *Ritchie, *Armstrong, *Cross, *Langster, *Ridgeway, *Pinion, *Tindell, *Chumney, *Pruitt. (*SB2791 by *Cooper, *Gilbert)

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On motion, House Bill No. 3051 was made to conform with **Senate Bill No. 2791**; the Senate Bill was substituted for the House Bill.

Rep. Jones U (Shelby) moved that Senate Bill No. 2791 be passed on third and final consideration.

On motion, Rep. Jones R (Shelby) withdrew State & Local Government Committee Amendment No. 1.

Rep. Jones R. (Shelby) moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2791 by adding at the end of Section 1(d) the following language:

Provided, however, the six (6) month probationary period established by §8-30-312 shall not apply to such employees.

AND FURTHER AMEND by deleting Section 2 and substituting instead the following:

Section 2. A public service commission officer who is authorized to carry a firearm while on duty, and has more than twenty-five (25) years of honorable service, and leaves the service of the public service commission before retirement eligibility because of personnel actions executed under Chapter 305 of the Public Acts of 1995, may retain his or her service weapon under the provisions of §65-15-106(c)(3).

Section 3. This act shall take effect upon becoming a law, the public welfare requiring it. Section 1 of this act is repealed on December 31, 1996.

Rep. Westmoreland moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes	35
Noes	52
Present and not voting	1

Representatives voting aye were: Beavers, Bird, Boyer, Burchett, Callicott, Cantrell, Clabough, Coffey, Davis, Duer, Dunn, Ford, Gunnels, Haley, Halteman Harwell, Hassell, Hicks, Joyce, Kent, Kerr, McAfee, McDaniel, McKee, Newton, Patton, Ramsey, Roach, Sharp, Shirley, Stamps, Tindell, Walley, Westmoreland, Williams (Union), Wood -- 35.

Representatives voting no were: Armstrong, Arriola, Bell, Bowers, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Cole (Dyer), Cross, Curtiss, Davidson, DeBerry, J., DeBerry, L., Fitzhugh, Fowlkes, Givens, Hargrove, Herron, Jones, R. (Shelby), Jones, S., Kernell,

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Kisber, Langster, Lewis, McDonald, McMillan, Miller, Napier, Odom, Phelan, Phillips, Pinion, Purcell, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Towns, Turner (Hamilton), Turner (Shelby), West, White, Whitson, Williams (Williamson), Windle, Winningham, Mr. Speaker Naifeh -- 52.

Representatives present and not voting were: Rhinehart -- 1.

Rep. Jones R. (Shelby) moved adoption of State and Local Government Committee Amendment No. 2, which motion prevailed by the following vote:

Ayes	54
Noes	36

Representatives voting aye were: Armstrong, Arriola, Bell, Bowers, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Cole (Dyer), Cross, Curtiss, DeBerry, J., DeBerry, L., Eckles, Fitzhugh, Fowlkes, Givens, Hargrove, Head, Herron, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kernell, Kisber, Langster, Lewis, McDonald, McMillan, Miller, Napier, Odom, Phelan, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Towns, Turner (Hamilton), Turner (Shelby), West, White, Williams (Williamson), Windle, Winningham, Mr. Speaker Naifeh -- 54.

Representatives voting no were: Beavers, Bird, Boyer, Burchett, Callicott, Cantrell, Clabough, Coffey, Davis, Duer, Dunn, Ford, Gunnels, Haley, Halteman Harwell, Hassell, Hicks, Joyce, Kent, Kerr, McAfee, McDaniel, McKee, Newton, Patton, Ramsey, Roach, Sharp, Shirley, Stamps, Tindell, Walley, Westmoreland, Whitson, Williams (Union), Wood -- 36.

Rep. Givens moved the previous question, which motion prevailed.

Rep. Jones U (Shelby) moved that **Senate Bill No. 2791**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	1
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Coffey -- 1.

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Representatives present and not voting were: Stamps -- 1.

A motion to reconsider was tabled.

***House Bill No. 1960 --** Public Records - Authorizes cities and counties to establish and operate electronic access to public records on contractual, fee-based basis. Amends TCA Title 10, Chapter 7. by *Chumney. (SB1981 by *Ford J)

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

On motion, House Bill No. 1960 was made to conform with **Senate Bill No. 1981**; the Senate Bill was substituted for the House Bill.

Rep. Chumney moved that Senate Bill No. 1981, be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 2.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1981 by deleting from subsection (b) of Section ____ of the amendatory language of SECTION 1 the language "The county or municipality may" and substituting instead the language "The county or municipality shall".

On motion, Amendment No. 3 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 1981 by adding the following new subsections to the amendatory language in Section 1:

() For the purposes of this section, a reasonable fee or amount for providing access to the computerized electronic information system shall be an amount sufficient to recover the cost of actually providing such services and no more. When determining a reasonable fee for on-line access to review records, such fee and consideration shall not include the cost of

storage and maintenance of the records, or the cost of the electronic record storage system.

() Nothing in this section shall permit a fee to be charged for records that are viewed, electronic or otherwise, at the locations where they are maintained and stored.

() Once a computerized electronic information system is in place, access must be given to all members of the public who desire access to such records, including those who may use such information for proprietary purposes.

On motion, Amendment No. 4 was adopted.

Rep. Chumney moved that **Senate Bill No. 1981**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	1
Present and not voting	3

Representatives voting aye were: Armstrong, Arriola, Bell, Bird, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Joyce -- 1.

Representatives present and not voting were: Beavers, Brooks, Hassell -- 3.

A motion to reconsider was tabled.

House Bill No. 2176 -- Public Buildings - Authorizes board of directors of public building authorities to establish executive committee and position of administrator; authorizes board and committees to take action by written consent if authorized by charter and bylaws. Amends TCA Section 12-10-108. by *Boyer. (*SB2355 by *Atchley)

On motion, House Bill No. 2176 was made to conform with **Senate Bill No. 2355**; the Senate Bill was substituted for the House Bill.

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Rep. Boyer moved that **Senate Bill No. 2355** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

House Bill No. 2396 -- Food and Food Products - Exempts persons selling food at multi regional events from purchase of food permit. Amends TCA Title 68, Chapter 14, Part 3. by *Windle. (*SB2296 by *O'Brien)

On motion, House Bill No. 2396 was made to conform with **Senate Bill No. 2296**; the Senate Bill was substituted for the House Bill.

Rep. Windle moved that Senate Bill No. 2296 be passed on third and final consideration.

Rep. Byrd moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:
Amendment No. 1

AMEND Senate Bill No. 2296 by deleting in its entirety the amendatory language of Section 1, and by substituting instead the following language:

(b) In addition to the exemption established in subsection (a), churches involved in the sale of food at a four-day, multi-regional event sponsored by a local chamber of commerce, whose primary purpose is to generate economic interest in such regions, shall further be exempt from the payment of food service establishment permit fees for such event.

On motion, Amendment No. 1 was adopted.

Rep. Windle moved that **Senate Bill No. 2296**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes..... 92
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

***House Bill No. 2429** -- Highway Signs - "Ralph Masters Memorial Bridge," I-181. by *Whitson. (SB2747 by *Haun)

Rep. Whitson moved that House Bill No. 2429 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2429 by deleting SECTION 1 in its entirety and by substituting instead the following:

SECTION 1. Notwithstanding any other provision of law to the contrary, the following bridges shall be designated as follows:

(a) In Tennessee Department of Transportation Construction Project 86002-3245-04:

(1) the bridge (No. 8) on U.S. Highway 23 over Sandy Bottom Road is hereby designated as "Robert Love Bridge";

(2) the bridge (No. 7) on U.S. Highway 23 over Ledford Road is hereby designated as "W. A. Wilson Bridge";

(3) the bridge (No. 5) on U.S. Highway 23 over Kegley Road is hereby designated as "Ralph Masters Bridge";

(4) the bridge (No. 4) on U.S. Highway 23 over County Road is hereby designated as "Guy Erwin Bridge";

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(5) the bridge (No. 3) on U.S. Highway 23 over South Indian Creek Road is hereby designated as "Shell E. Masters Bridge";

(6) the bridge (No. 2) on U.S. Highway 23 over Temple Hill Connector is hereby designated as "Fred Cable Bridge"; and

(7) the bridge (No. 1) on U.S. Highway 23 over South Indian Creek Road is hereby designated as "Earle Hendren Bridge";

(b) In Tennessee Department of Transportation Construction Project 86002-3246-04:

(1) the bridge (No. 6) on Interstate 181 over Lower Higgins Creek and Higgins Creek Road is hereby designated as "Clella Willis Farnor Bridge";

(2) the bridge (No. 5) on Interstate 181 over South Indian Creek is hereby designated as "Veterans Bridge";

(3) the bridge (No. 4) on Interstate 181 over Connector Ramp is hereby designated as "Frank Parsley Bridge";

(4) the bridge (No.3) on Interstate 181 over Clear Branch Road is hereby designated as "Earl Farnor Bridge";

(5) the bridge (No. 2) on Interstate 181 over Lizzie Branch and Old Ridge Road and County Road is hereby designated as "Ralph Edwards Bridge"; and

(6) the bridge (No. 1) on Interstate 181 over Carter Branch and Relocated Tilson Mountain Road is hereby designated as "Lee Vance Bridge"; and

(c) In Tennessee Department of Transportation Construction Project DE-0061 ("801"):

(1) the bridge (No. 7) on Interstate 181 over Upper Higgins Creek Road is hereby designated as "Edith Pate Rice Bridge";

(2) the bridge (No. 6) on the Connector on Upper Higgins Creek over Interstate 181 is hereby designated as "Parley F. Rice Bridge";

(3) the bridge (No. 5) on Interstate 181 over a gorge is hereby designated as "Eddie Williams, Jr. Bridge";

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(4) the bridge (No. 4) on Interstate 181 over a gorge is hereby designated as "James Brown Sams Bridge"; and

(5) the bridge (No. 3) on Interstate 181 over a gorge is hereby designated as "Rufus M. Sams Bridge" .

AND FURTHER AMEND IN SECTION 2 by deleting the language "bridge as the Ralph Masters Memorial Bridge" and by substituting instead the language "bridges as are specified in Section 1 in accordance with the provisions of Section 1".

Rep. Westmoreland moved the previous question, which motion prevailed.

On motion, Amendment No. 1 was adopted.

Rep. Whitson moved that **House Bill No. 2429**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 69
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 89.

A motion to reconsider was tabled.

***House Bill No. 2746** -- Highways, Roads and Bridges - Authorizes department of transportation to reduce speed limits on state roads and highways as necessary. Amends TCA Section 55-8-152. by *Haley, *Bittle, *McDaniel, *Cole (Dyer). (SB3164 by *Haun, *Elsea, *McNally, *Atchley, *Carter, *Holcomb, *Jordan, *Fowler, *Miller J, *Rice, *Koella, *Leatherwood)

Rep. Haley moved that House Bill No. 2746 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2746 by deleting the effective date section in its entirety and by substituting instead the following:

Section ____ The provisions of this act which apply to the interstate highway system shall take effect on becoming a law, the public welfare requiring it and the provisions of this act which apply to all other roads, streets and highways shall take effect on July 1, 1996, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Rhinehart moved the previous question, which motion failed.

Rep. Rhinehart moved the previous question, which motion prevailed.

Rep. Haley moved that **House Bill No. 2746**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes	4
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 86.

Representatives voting no were: Chumney, Kernell, Kerr, Shirley -- 4.

Representatives present and not voting were: Bowers, Hargrove -- 2.

A motion to reconsider was tabled.

House Bill No. 2440 -- Game and Fish Laws - Revises penalties relative to fish and wildlife violations. Amends TCA Title 70, Chapter 1, Part 1; Section 70-2-101(e); Section 70-2-205(e)(1); Section 70-2-215(d); Section 70-2-221(e); Section 70-4-102(c); Section 70-4-108(c); Section 70-4-201(d); Section 70-6-101(b)(2) and Section 70-6-202(b). by *Odom. (*SB2239 by *Gilbert)

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Further consideration of House Bill No. 2440, previously considered on today's Calendar.

Rep. Odom moved that House Bill No(s). 2440 be reset to the Regular Calendar for April 8, 1996, which motion prevailed.

***House Bill No. 2489** -- Penal and Reformatory Institutions - Requires prison or jail director to notify employees of identity of inmates known to have infectious diseases; limits application to employees who physically interact with such inmates; prohibits release of confidential information to public. by *Windle, *Bowers, *Towns, *Peach, *Bittle, *Cantrell, *Stulce, *Whitson, *Winningham, *Sharp, *Burchett, *Kent, *Buck, *Pinion, *Duer. (SB3225 by *Burks)

Further consideration of House Bill No. 2489, previously considered on today's Calendar.

Rep. Windle moved that House Bill No. 2489 be passed on third and final consideration.

Rep. Kerr moved that all members voting aye on House Bill No. 2489 be added as prime sponsors, which motion prevailed.

Rep. Windle moved that **House Bill No. 2489** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2968 -- Hospitals and Health Care Facilities - Grants "private acts hospital authority" defined as hospital, hospital authority or hospital district created by

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private act, all rights and powers granted to private act metropolitan hospital authorities. Amends TCA Title 7, Chapter 57. by *Kisber, *Williams (Williamson), *McKee, *Rinks, *Hargrove, *Fowlkes, *Ridgeway. (*SB2704 by *Womack, *Miller J, *Koella)

Senate Amendment No. 3

AMEND House Bill No. 2968 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. With respect to the sale of hospital property, the provisions of this act shall not be construed or implemented in any manner which abolishes or diminishes the public's opportunity to require a public referendum as authorized by a municipal charter.

Rep. Kisber moved that the House concur in Senate Amendment(s) No(s). 3 to **House Bill No. 2968**, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh – 93.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1952** – Animals - Prohibits entities of state and local governments from enacting or enforcing laws or regulations restricting or preventing owner of dog from using electronic locating collar to protect such dog from loss. Amends TCA Title 44, Chapter 17. by *Newton, *Duer. (SB2317 by *Miller J)

Senate Amendment No. 2

AMEND House Bill No. 1952 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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Section _____. If the owner or a person in control of a dog is hunting or is present on private property and such person's dog strays onto property owned by the federal government and operated by the Tennessee Wildlife Resources Agency, such owner or person is not liable for any civil or criminal sanction related to such dog.

Senate Amendment No. 3

AMEND House Bill No. 1952 by deleting the amendatory language added by Senate Amendment #2 and substituting instead the following:

Section _____. If the owner or a person in control of a dog is hunting with either a firearm or a bow and arrow, and such person's dog strays onto property owned by the federal government and operated by the Tennessee Wildlife Resources Agency, such owner or person may proceed onto such property without the person's firearm or bow and arrow. Such person shall not be liable for any criminal sanction related to the pursuit of such dog.

Provided, however, nothing in this section shall be construed to grant civil immunity to the owner or the person in control of the dog for any personal injury or property damage caused by the dog.

Rep. Newton moved that the House concur in Senate Amendment(s) No(s). 2 and 3 to House Bill No. 1952.

Rep. Newton moved that House Bill No. 1952 be reset to the Message Calendar for April 8, 1996, which motion prevailed.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on April 8, 1996:

House Bill No. 2455: by Rep. Fitzhugh.

House Bill No. 3052: by Rep. McKee.

ANNOUNCEMENTS

The Clerk read the revised committee schedule for the week of April 8, 1996. Without objection, the schedule was approved as follows:

Monday, April 8, 1996: Session, 5:00 p.m., House Chamber.

Tuesday, April 9, 1996: Calendar & Rules Committee, 8:00 a.m., LP16; Commerce Committee, 9:00 a.m., LP16; Conservation & Environment Committee, 10:00 a.m., LP 31; Education Committee, 10:30 a.m., LP16; Consumer & Employee Affairs Committee, 10:30 a.m., LP30; Health & Human Resource Committee, 12:00 p.m., LP16; Finance, Ways &

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Means Committee, 1:30 p.m., LP16 and State & Local Government Committee, 3:00 p.m., LP16.

Wednesday, April 10, 1996: Calendar & Rules Committee; 8:00 a.m., LP16; Transportation Committee; 9:00 a.m., LP16; Consumer & Employee Affairs Committee, 9:00 a.m., LP30; Judiciary Committee, 9:30 a.m. LP16; Health & Human Resources Committee, 1:00 p.m. LP29; Education Committee, 2:00 p.m., LP31 and Committee of the Whole, 3:00 p.m., House Chamber.

Thursday, April 11, 1996: Calendar & Rules Committee; 8:00 a.m., LP16 and Session, 9:00 a.m., House Chamber

Rep. Purcell moved that the rules be suspended to allow any bill passed out of the K-12 subcommittee next week be immediately heard at the meeting of the House Education Committee next week, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 204: Rep(s). Callicott as prime sponsor(s).

House Joint Resolution No. 514: Rep(s). Kisber as prime sponsor(s).

House Bill No. 77: Rep(s). Lewis as prime sponsor(s).

House Bill No. 771: Rep(s). Head as prime sponsor(s).

House Bill No. 2381: Rep(s). Lewis as prime sponsor(s).

House Bill No. 2410: Rep(s). Phelan, Givens and Cole(Dyer) as prime sponsor(s).

House Bill No. 2433: Rep(s). Hassell, Brooks, Williams(Union), Hargrove, McDonald, Beavers, Cross, Bragg, McAfee, Cantrell, Bird, Newton, Hicks, Eckles, Dunn, Tindell, Byrd, Winningham, Duer, Purcell as prime sponsor(s).

House Bill No. 2731: Rep(s). Patton as prime sponsor(s).

House Bill No. 2873: Rep(s). Lewis as prime sponsor(s).

House Bill No. 2946: Rep(s). Bell as prime sponsor(s).

House Bill No. 3078: Rep(s). Newton as prime sponsor(s).

SIGNED
April 4, 1996

The Speaker signed the following: Senate Joint Resolution(s) No(s). 432.

ENGROSSED BILLS
April 4, 1996

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2355; also, House Joint Resolution(s) No(s). 509, 510, 511 and 520.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM SENATE
April 4, 1996

MR. SPEAKER: I am directed to request the return of Senate Bill(s) No(s). 3197, for further consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 4, 1996

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 499, 502, 504, 505 and 506; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 4, 1996

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3249, 3267, 3268, 3269, 3270, 3274, 3275, 3276, 3277, 3280 and 3281; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE GOVERNOR
April 4, 1996

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2548, 2653 and 2925, with his approval.

HARDY MAYS, Counsel to the Governor.

MESSAGE FROM THE SENATE

April 4, 1996

MR. SPEAKER: I am directed to return to the House, House Bill No. 1551.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 1, withdrew Amendment No. 1, then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

April 4, 1996

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2429, 2489, 2746, 2763, 2789, 3135 and 3212.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 4, 1996

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 645, 2366, 2520, 2622, 2698, 2788, 2887, 2951, 2974 and 3203; also, House Joint Resolution(s) No(s). 383, 426, 479, 488, 493, 494, 495, 496 and 498; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 4, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1184, 1984, 2000, 2020, 2028, 2061, 2069, 2195, 2278, 2505, 2776, 2648, 2741, 2801, 2822, 2884, 2907, 2946, 2959, 3044; also, Senate Joint Resolution(s) No(s). 340, 386, 392, 394, 395, 398, 399 and 400; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 4, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 427, 428, 429, 430 and 431; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 427 -- Memorials, Public Service - Tennessee Conservation League, 50th Anniversary. by *Henry, *Cohen, *Gilbert, *Kyle.

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Senate Joint Resolution No. 428 -- Memorials, Sports - 1995-1996 William James Junior High School girls' basketball team. by *Springer.

Senate Joint Resolution No. 429 -- Memorials, Interns - Keith Bowers. by *Koella, *Cooper.

Senate Joint Resolution No. 430 -- Memorials, Interns - Elizabeth Millsaps. by *Koella, *Cooper.

Senate Joint Resolution No. 431 -- Naming and Designating - "Ross Bass Day" in Tennessee, April 22, 1996. by *Cooper, *Kyle, *Dixon.

MESSAGE FROM THE SENATE

April 4, 1996

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2496 and 3176; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 2496** -- Taxes, Real Property - Permits county or municipality to estimate general level of local assessment changes if taxes become due prior to disposition of appeals. Amends TCA Title 67, Chapter 5. by *Ford J.

***Senate Bill No. 3176** -- Children - Creates department of children's services. Amends TCA Title 4, Title 7, Title 8, Title 10, Title 16, Title 33, Title 34, Title 36, Title 37, Title 38, Title 39, Title 40, Title 41, Title 49, Title 66, Title 68, and Title 71. by *Person, *Elsea, *Atchley, *Jordan, *Ford J, *Gilbert, *Fowler, *Miller J.

CONSENT CALENDAR

April 4, 1996

The following local bills have been placed on the Consent Calendar for **April 8, 1996**: House Bill(s) No(s). 3283, 3284 and 2181.

ROLL CALL

The roll call was taken with the following results:

Present 93

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton),

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Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, April 8, 1996.